HON'BLE MS. JUSTICE G.ROHINI

W.P.No. 21352 of 1994

Date : 13.09.2012

Between:
Syed Jaleel Ahmed & others

…Petitioner

And

The District Scheduled Caste Services
Co-operative Society Ltd., Nellore & others

…Respondents

HON'BLE MS. JUSTICE G.ROHINI

W.P.No. 21352 of 1994

O R D E R:

The writ petition is filed seeking to declare the action of the respondents in not regularizing the services of the petitioners as work Inspectors as arbitrary and illegal and to pay the scale of pay as per their entitlement.

Though the writ petition was filed by eight persons, the writ petition was dismissed as withdrawn so far as the petitioners 1, 3 to 6 and 8 are concerned since their services were regularized during the pendency of the writ petition. Thus, the petitioners 2 and 7 alone are pursuing the writ petition as on today.

I have heard the learned counsel for both the parties. It is contended by the learned counsel for the petitioners that having regularized the services of several other similarly situated persons, the respondents were not justified in not extending the same benefit to the petitioners herein.

In the counter affidavit filed on behalf of the respondents, it is contended that the posts against which the petitioners were appointed are not sanctioned posts and that they were appointed purely on temporary basis and therefore they are not entitled for regularization.

It is to be noticed that the said counter-affidavit was filed in the year 1995. However despite the stand taken therein that the writ petitioners were appointed purely on temporary basis and there were no sanctioned posts, the services of the writ petitioners 1, 3 to 6 & 8 have been regularized during the pendency of this writ petition. Therefore, I

deem it appropriate to direct the respondents to consider the claim of the remaining two petitioners also on the same lines.

Accordingly, the Writ Petition is disposed of with a direction to the respondents to consider the claim of the petitioners 2 and 7 also for regularization of their services, if not already regularized, and pass appropriate orders in accordance with law. No costs.

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G.ROHINI, J

Dt.13.09.2012
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